

**AGENDA of the
Portfolio Committee : Infrastructure & Planning
19 February 2019
(Also the agenda for the Mayoral Committee Meeting : 27 February 2019)**

**14.
PROPOSED URBAN EXTENSION OF BUFFELJAGSBAAI**

Farm 340, Division Bredasdorp

17/5/5/3/4

P Roux

(028) 313 8039

Hermanus Administration

16 January 2019

1. Executive Summary

To convey the result of the finding of the recent public participation process and to report on the process going forward for the proposed urban extension of Buffeljagsbaai and to obtain Council's approval for the proposed urban extension of the Buffeljagsbaai settlement.

The Locality Plan of the property concerned is attached as Annexure A, the status quo report in support of the proposal is attached as Annexure B, while the Urban Extension Plan is attached as Annexure C.

2. Service Delivery and Budget Implementation Plan - IGNITE

Infrastructure and Planning
Town- and Spatial Planning

3. Compliance with Strategic Priority

Promotion of tourism, economic and social development

4. Delegated Authority

None

5. Legal Requirements

Spatial Planning Land Use Management Act, No 16 of 2013

6. Background/Discussion/Evaluation/Conclusion

Background

The Buffeljags settlement is bordered by the ocean and properties set out for agricultural purposes and as such one of the major issues which need to be addressed is the lack of adequate land for housing and settlement development in the area. To alleviate this issue the Overstrand Municipality proposes to develop a small portion of the agricultural land adjacent to the

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settlement, namely Farm 340. The Overstrand Municipality is the owner of Farm 340 (attached as Annexure C).

As seen on Annexure C, the Buffeljagsbaai settlement consists of thirty one (31) erven of which thirty (30) have been transferred to property claimants of the historic settlement. These thirty (30) privately owned erven are zoned as Less Formal Development Zone. It is found that some of the houses in the settlement experience flooding on a seasonal basis due to the close proximity to the coastline. In accordance to the Overstrand Municipality Spatial Development Framework the Urban Edge is demarcated on the immediate boundary of the thirty one (31) erven (Annexure C). Buffeljagsbaai is a fishing community with many residents leading a subsistence driven lifestyle. Until recently, the only significant economic activities taking place within the settlement were the operations of the Buffeljagsbaai Bamboo Company. However, two (2) large abalone farms have been developed on Farm 357, Bredasdorp and Portion 2 of Farm 308, Bredasdorp which employ out of the local community.

Even though there are only thirty one (31) erven located within the settlement and a large number of backyard dwellers are also residing on aforementioned erven. In a meeting held on 11 December 2014 between the Overstrand Municipality (OM) and the Buffeljachts Behuisingskomitee (BBK), it was indicated that up to three (3) families are currently living on one erf. It therefore appears that a definite need exists for the provision of further housing opportunities within the settlement.

Discussion

Due to proximity to the ocean and the restrictive demarcation of the Urban Edge, the OM proposes to extend the settlement in a north-east direction unto a selected portion of Farm 340, as can be seen on Annexure C.

Farm 340 is currently covered in small patches of Overberg Dune Strandveld fynbos, and is zoned for agricultural purposes. The Overstrand Municipality procured the abovementioned farms from Department of Agriculture in order to better manage the farms and the potential thereof. It was foreseen that the farms would be of benefit for aqua-agriculture, which have already been developed in the area. The development of more aqua-agricultural facilities would also mean that the residents of the local community could actively work in their immediate area; this in turn could lead to an increase in demand for housing.

The proposed expansion of the Buffeljags settlement will only use a small portion of the adjacent property for the development, approximately 1,7 ha and as such should not impede the agricultural potential of the farms.

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The opinion is that the proposed expansion of the Buffeljagsbaai settlement will have to cater for the current and future need of the settlement and therefore strategic planning must be done with the demarcation of the urban extension. In addition to the abovementioned issue cost mitigation should also be considered. It should be determined how many of the households qualify for subsidized housing and how much of the development cost will have to be subsidized. The aforementioned will be formulated and information gathered at the social compact and from various departments during the planning phase of the project.

A Status Quo Report of Buffeljagsbaai was compiled by the Overberg Professional Resource Team (attached as Annexure B).

The report concludes that:

- A definite need exists to accommodate residents of the informal settlement in a formalised manner;
- The current waiting list indicates that there is a definite need to accommodate backyard dwellers within the settlement by providing additional subsidised housing opportunities;
- With the development of the two (2) abalone farms next to the settlement, a further need for the development of housing opportunities may arise; and
- The Overstrand Municipal Wide Spatial Development Framework (SDF) clearly states that the provision of housing opportunities within Buffeljagsbaai must be considered from 2015 onwards.

As stated in the aforementioned Status Quo Report, one of the main obstacles is to acquire funding from Province; however funding will only be provided if the urban edge is amended. Therefore it is an incentive for the Municipality to extend the urban edge.

It should be noted that a public participation process was followed to inform the public of the Municipality's intention to extend the urban edge and a memo was circulated to the internal departments with minimal input being received. Input which was received was from DEA&DP (attached as Annexure E) and the Overstrand Municipality's Environmental Section (attached as Annexure D). Both comments indicate that there are endangered plant species on the proposed area and that NEMA approval will be required. NEMA approval will be done and further specialist studies will be required when more detailed planning is done.

The proposal was also advertised in the Gansbaai newspaper and notices were circulated to the property owners of Buffeljagsbaai and the community has provided a list of comments (attached as Annexure F) which reads as follows:

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- Discuss the size of the planned houses.
- New erven must be zoned for Single Residential Zone 1 purposes.
- Properties must be the same size as the existing erven.
- Existing properties must be rezoned to Single Residential Zone 1

The comments provided by the community is noted and with the planning of the future extension of development the size and zoning of the proposed properties and house typologies will be discussed with the community through the social compact.

Evaluation

Considering the discussion made in this report it is considered that there are site specific circumstances which exist in favour of creating additional erven. However, certain issues first needs to be addressed before additional erven can be created and the first step in addressing the issues is by amending the urban edge of Buffeljagsbaai which will allow the Municipality to apply for funding in order to proceed with the planning phase of the housing development. Therefore Council's approval is required to proceed with the process of amending the urban edge of Buffeljagsbaai.

During the planning phase the specialist input will be gained in terms of:

- Planning Principles,
- Environmental Issues,
- Civil Engineering,
- Heritage Aspects and
- Community Participation.

7. Financial Implications

None at this stage.

8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

Overstrand Environmental Services

Attached as Annexure D

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Department of Environmental Affairs and Development Planning

Attached as Annexure E

Buffeljagsbaai Property Owners

Attached as Annexure F

10. Annexures

Annexure A: Locality Plan

Annexure B: Status Quo Report

Annexure C: Proposed Urban Extension Plan

Annexure D: Comment: Overstrand Environmental Services

Annexure E: Comment: D of Environmental Affairs and Development Planning

Annexure F: Comment: Buffeljagsbaai Property Owners

RECOMMENDATION TO THE COUNCIL:

1. that the Status Quo Report of Buffeljagsbaai as compiled by the Overberg Professional Resource Team (attached as Annexure B), be noted;
2. that the comments received from the Overstrand Municipality's Environmental Section and Department of Environmental Affairs and Development Planning (attached as Annexure D and E), be noted;
3. that the comments received from the property owners of Buffeljagsbaai (attached as Annexure F), be noted; and
4. that the amendment of the Buffeljagsbaai Urban Edge Extension Plan (attached as Annexure C) in a north-east direction unto selected portion of the Farm 340 to accommodate an urban extension area of approximately 1,7 ha subject to detailed planning, **be approved**.

RESPONSIBLE OFFICIAL:

P ROUX

TARGET DATE FOR IMPLEMENTATION:

13 MARCH 2018

TARGET DATE TO INFORM APPLICANT:

N/A

TARGET DATE TO INFORM OBJECTOR:

N/A

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16 January 2019

**THIS MATTER SERVED BEFORE THE JOINT PORTFOLIO COMMITTEE ON
19 FEBRUARY 2019, WHICH COMMITTEE RECOMMENDED AS FOLLOWS:**

RECOMMENDATION TO THE COUNCIL:

1. that the Status Quo Report of Buffeljagsbaai as compiled by the Overberg Professional Resource Team be noted;
2. that the comments received from the Overstrand Municipality's Environmental Section and Department of Environmental Affairs and Development Planning be noted;
3. that the comments received from the property owners of Buffeljagsbaai be noted; and
4. that the amendment of the Buffeljagsbaai Urban Edge Extension Plan in a north-east direction unto selected portion of the Farm 340 to accommodate an urban extension area of approximately 1,7 ha subject to detailed planning, **be approved.**

RESPONSIBLE OFFICIAL:

P ROUX

TARGET DATE FOR IMPLEMENTATION:

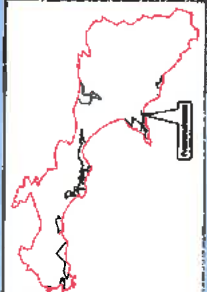
13 MARCH 2018

TARGET DATE TO INFORM APPLICANT:

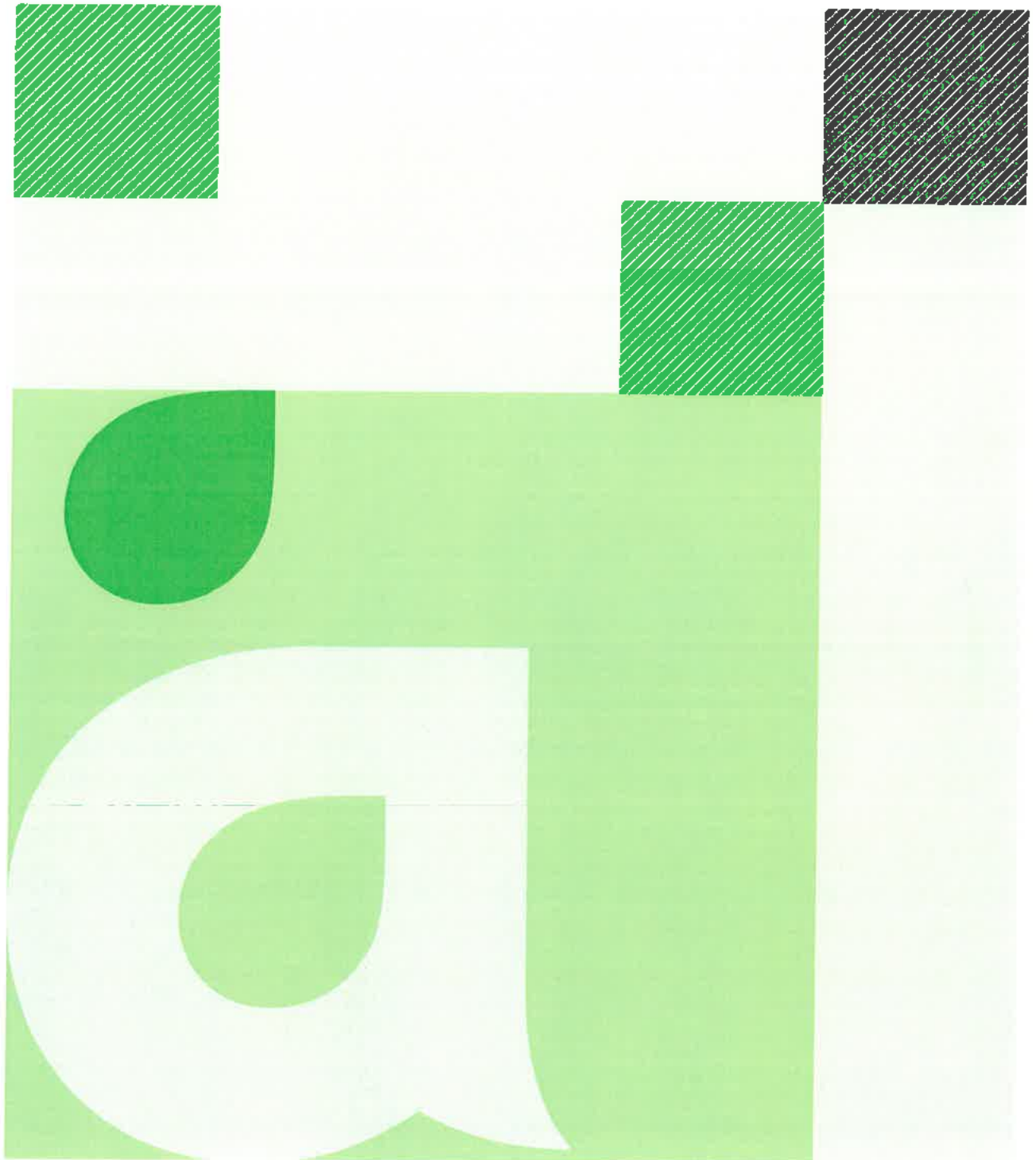
N/A

TARGET DATE TO INFORM OBJECTOR:

N/A



LOCALITY BUFFELJAGSBAAI



aurecon

**Overberg Professional
Resource Team
Status Quo Report
Buffeljagsbaai
Overstrand Municipality**

Reference:
110420/RFQ22
Prepared for: Western
Cape Government
Revision: 2
21 May 2015

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1 BACKGROUND AND SCOPE OF WORK

An instruction to proceed work (IPW) was received from the Department of Human Settlements for the compilation of a Status Quo Report regarding the residential settlement of Buffeljagsbaai, located within the Gansbaai administrative area of the Overstrand Municipality.

The scope of work included:

- An introductory meeting held with Mr Stephen Muller (Director: Infrastructure & Planning), Mr Briand Louw (Housing Project Manager), Ms Haneen van der Stoep (Senior Town Planner) and Mr Petrus Roux (Town Planner);
- Sourcing of all documentation pertaining to the settlement;
- A site visit, conducted with Ms Van der Stoep and Mr Louw;
- A meeting with Mr Dennis Hendriks (Senior Manager: Project Management and Development Control);
- A second site visit, conducted with Mr Francois Myburgh (Area Manager: Gansbaai Administration); and
- Drafting of a Status Quo Report with recommendations addressing the needs of the Overstrand Municipality with regard to Buffeljagsbaai.

2 INTRODUCTION

Buffeljagsbaai is a small rural settlement located approximately 19 kilometres east of Pearly Beach. The settlement consists of 31 individual erven with 14 informal dwelling units located on the Remainder of Farm 340, Bredasdorp. Social amenities that are provided within the settlement include a pre-school, a library and a small community hall. Four dwelling units are also located within 800 metres of the settlement itself. A small-craft launching site is located to the north of the settlement as well as a derelict, disused resort owned by Overberg District Municipality. With the establishment of the settlement, certain conditions were registered with regard to the future development of the settlement. These original conditions of establishment are attached as Annexure A. From the aforementioned conditions, it is evident that the further expansion of the settlement was not deemed desirable at that point in time.

Buffeljagsbaai is a fishing community with many residents leading a subsistence driven lifestyle. Until recently, the only significant economic activities taking place within the settlement were the operations of the Buffeljagsbaai Bamboo Company. However, two large abalone farms are being developed on Farm 357, Bredasdorp and Portion 2 of Farm 308, Bredasdorp that will generate significant employment opportunities. The development of a nuclear power station at Bantamsklip, located approximately 6 km west of the settlement, is also planned by Eskom.

Even though there are only 31 erven located within the settlement, a large number of backyard dwellers are also residing on aforementioned erven. In a meeting held on 11 December 2014 between the Overstrand Municipality (OM) and the Buffeljachts Behuisingskomitee (BBK), it was indicated that up to three (3) families are currently living on one erf. It therefore appears that a definite need exists for the provision of further housing opportunities within the settlement.

3 STATUS QUO

As mentioned in Section 2, the settlement consists of 31 erven and 14 informal dwelling units. Two abalone farms are currently being developed close to the settlement. One farm is being developed to the south of the settlement and the other farm to the north. Other economic activities in the area consist of a bamboo harvesting company and a small spaza shop.

The Overstrand Municipality obtained a court interdict against the residents of the informal settlement that settled on the Remainder of Farm 340, Bredasdorp. The residents were relocated to their current location on Portion 3 of Farm 340. As part of the negotiation process, the Overstrand Municipality offered to provide the residents with access to basic services on the aforementioned erf.

The Overstrand Municipality recently updated the housing waiting list for the settlement and the list currently consists of 53 individuals.

A historic grave yard was also identified (refer Figure 4). It is recommended that the extent of this graveyard be determined and conserved in an appropriate manner. It was indicated by Mr Myburgh that it should not be formalised into a functioning cemetery.

The erven within the settlement are zoned as Less Formal Development Zone in terms of the Overstrand Municipality Zoning Scheme, with Portion 33 of Farm 340 zoned as Undetermined Zone.

Public transport services are limited to a bus service that is provided for children of the settlement who attend school in Gansbaai.

Water to the settlement is provided from a borehole with a sustainable yield of 9 litres per second. The water is treated by the Overstrand Municipality before it is distributed to the settlement. A 100 kilolitre reservoir is developed to the north east of the settlement. Sewerage is disposed of by means of conservancy tanks. These tanks are serviced by the Overstrand Municipality as and when required. Electricity is supplied by Eskom.



Figure 1: Boat launching site



Figure 2: Informal settlement



Figure 3: Abalone farm



Figure 4: Historic grave yard



Figure 5: Historic grave



Figure 6: Crèche

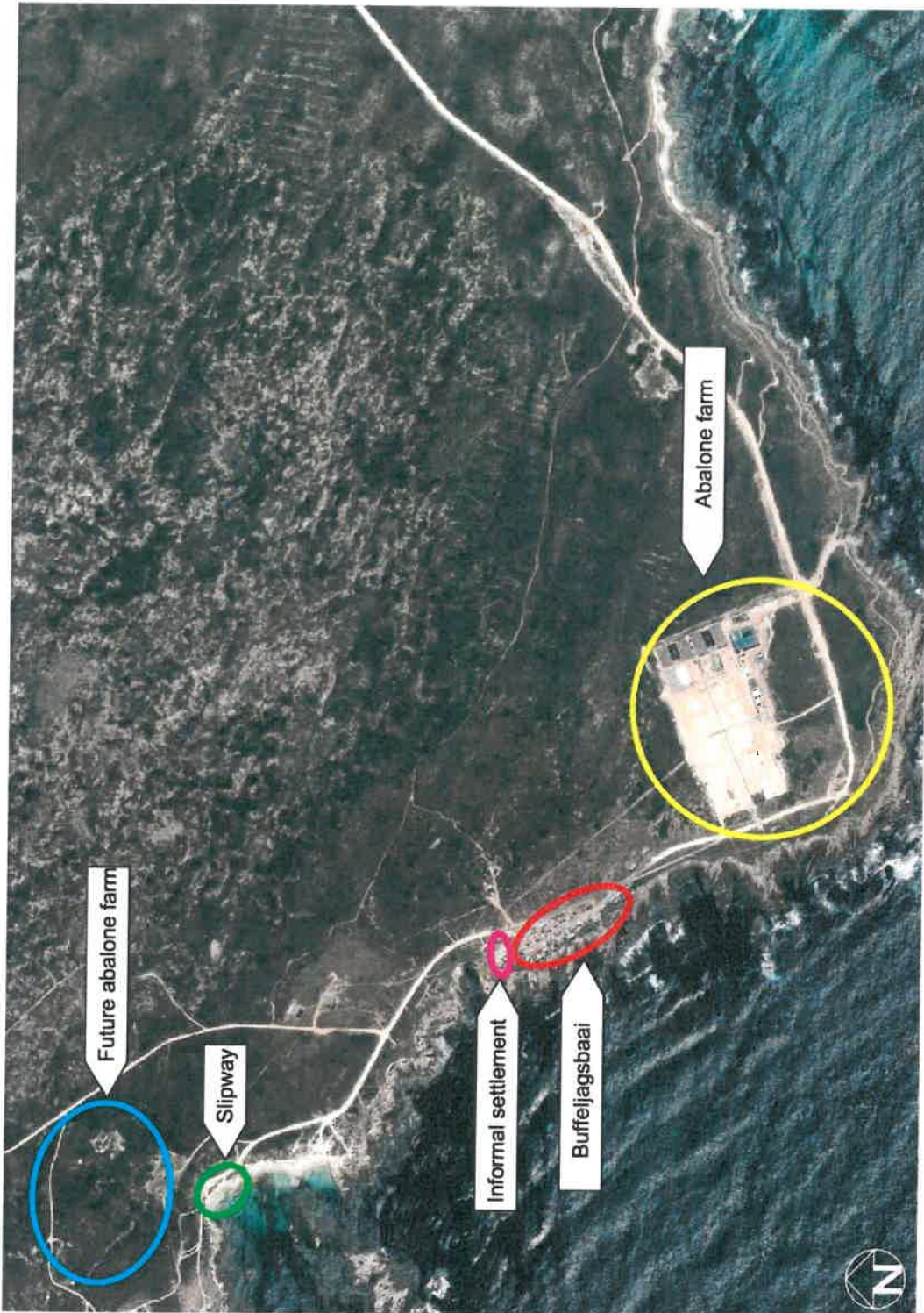


Figure 7: Status quo 1

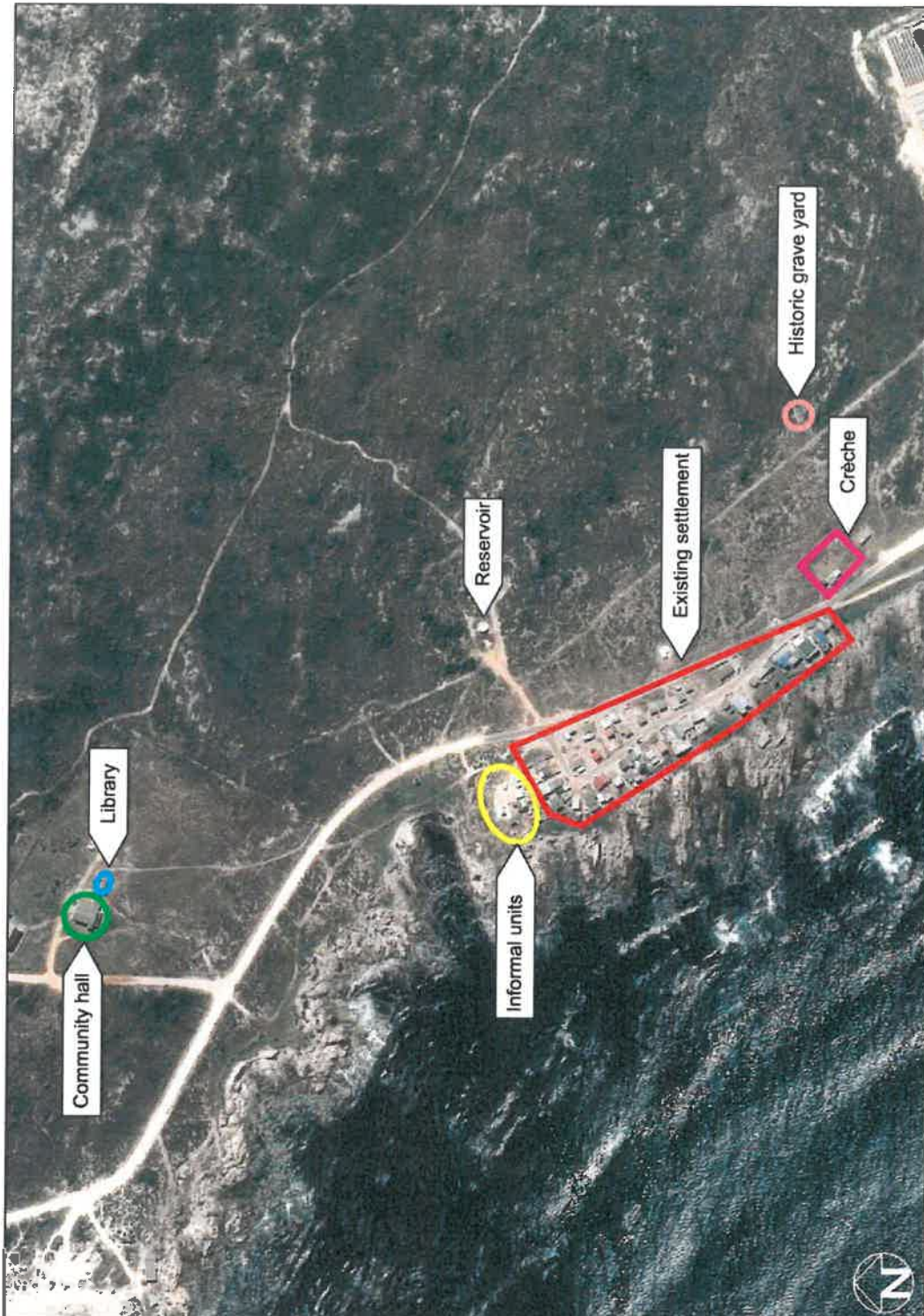


Figure 8: Status quo 2

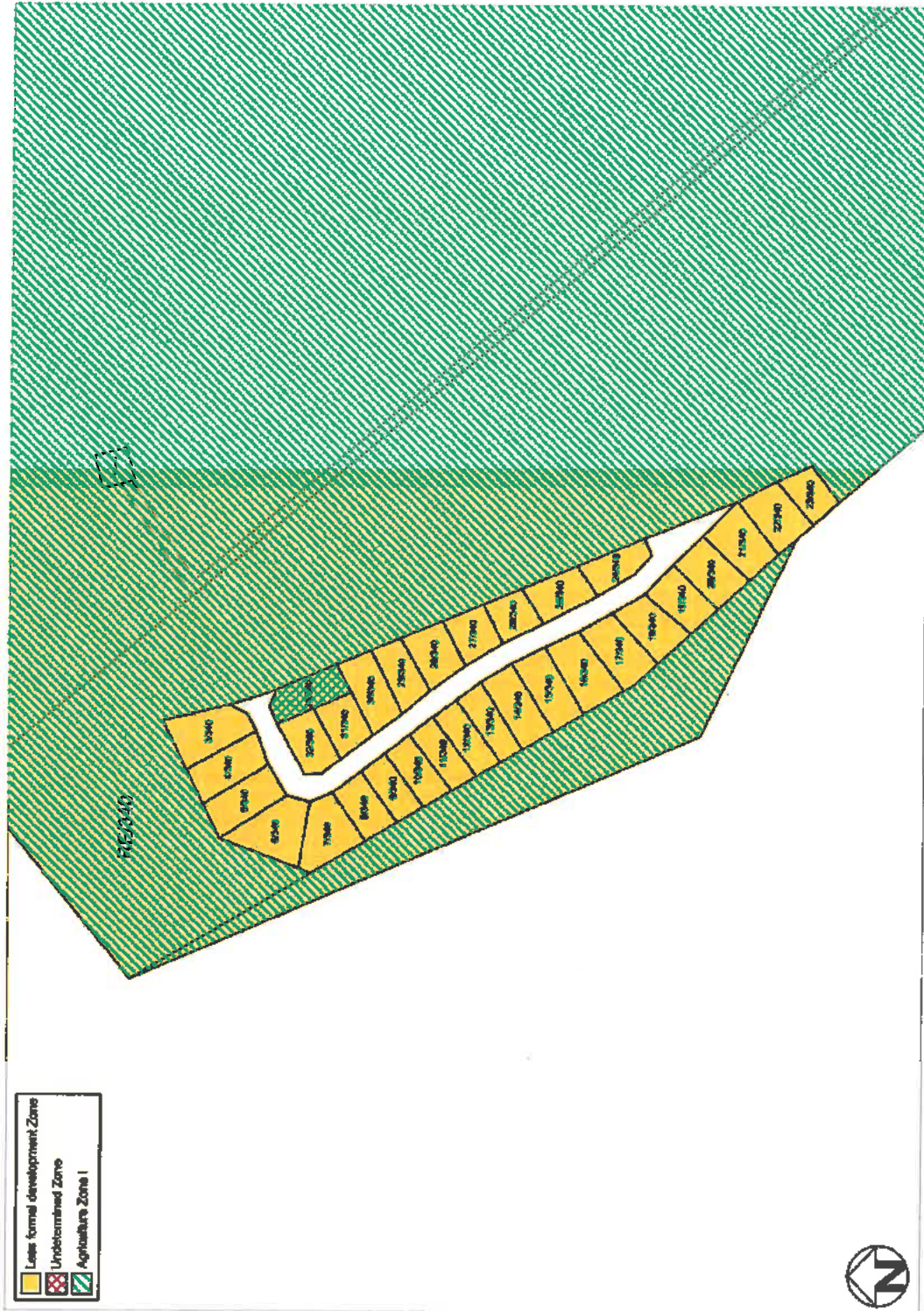


Figure 9: Existing zonings

4 SPATIAL PLANNING INITIATIVES

4.1 Overstrand Spatial Development Framework

The most comprehensive and relevant spatial planning initiative that is applicable to this particular area is the Overstrand Municipal Wide Spatial Development Framework (SDF). Aforementioned document dedicates a section to the settlement, which can be summarised as follows:

Any future growth of the settlement should be carefully considered due to the high costs in providing service infrastructure. However, given the location of the settlement and its function as a fishing settlement, the opportunity for the development of mari-culture opportunities should be considered. It is recommended that the settlement be promoted as a fishing settlement and that investigations should be completed to determine the feasibility of developing the area as a specialist mari-culture area. It is furthermore recommended that further residential development should be restricted until a local development framework was compiled for the area.

Before the process of compiling the aforementioned framework is embarked upon, a specialist feasibility study must be undertaken to determine the economic potential, as well as the technical feasibility of mari-culture development (abalone and fin farming) at the settlement. **It is also stated that there is no need for further housing development up until 2015.**

The SDF makes the following recommendations with regard to the settlement:

- Investigate development potential for the aquaculture facilities in Buffeljagsbaai;
- Compile a spatial development framework for Buffeljagsbaai to provide a clear vision for the area, on the basis of the findings of a specialist feasibility study for mari-culture development;
- Investigate alternative sewage collection and treatment options;
- Review water supply master planning and determine need for additional resources; and
- Optimise solid waste removal facilities for regional operation and introduce a waste recovery culture with separation at source.

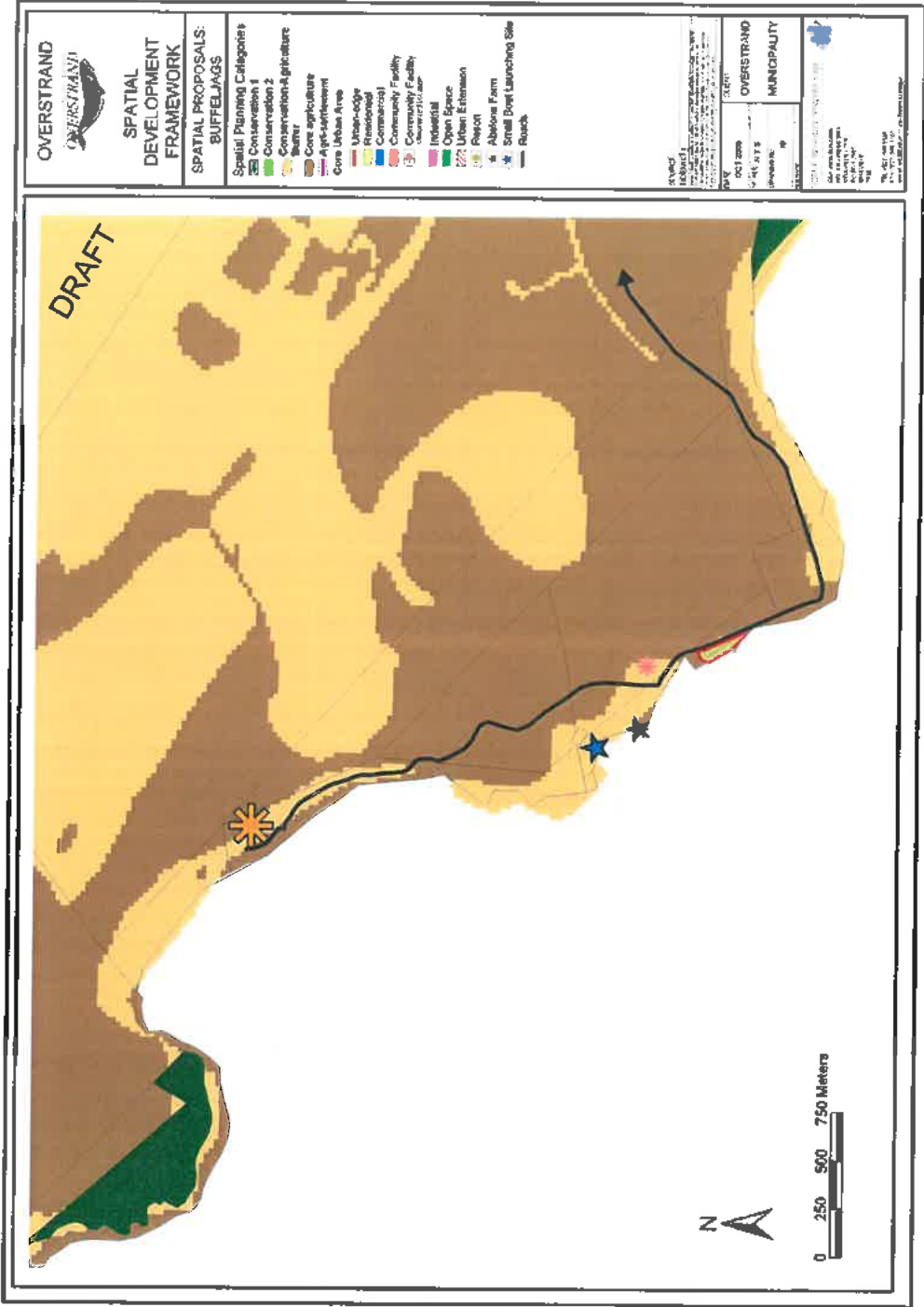


Figure 10: Spatial proposals for Buffeljagsbaai

4.2 Overstrand Integrated Development Framework

In terms of the Overstrand Integrated Development Framework (IDF), Buffeljagsbaai is classified as a rural settlement and is further classified as the lowest order of settlement with regard to town hierarchy within the municipality. In terms of the IDF, the natural environment surrounding Buffeljagsbaai contains an ecosystem that is classified as least threatened. The area is also identified as a Critical Biodiversity Area (CBA) with moderate potential arable land.

Certain key policies directing future management and development of rural settlements were identified within the IDF. They are the following:

- Encourage the development of natural open space systems within urban and rural settlements;
- Foreign or unsympathetic styles of site layout and buildings should be discouraged in urban settlements and rural areas as to strengthen the local sense of place and minimise visual impact;
- Ensure that new development reflect and enhance the distinct build and natural environmental and heritage context in which it is located;
- Encourage the development of strategically located facilities that provide access to distinctive natural areas and present opportunities for recreation activities;
- Ensure that the natural environment is protected and restored and its natural productive capacity is preserved by means of sound land use management;
- Ensure that existing agricultural activity and soils with high production potential is retained;
- Encourage and support the development of networks of open space that sustain and enhance ecosystem functioning, connect fragments of vegetation, protect waterways and regenerate the natural environment;
- Plan for and encourage the development of community facilities and basic services for each of the Overstrand's rural settlements, minimising dependence on higher order settlements; and
- Carefully assess the location and visual impact of non-agricultural related land uses in agricultural and rural areas, to ensure that the sense of place considerations of the development contribute towards/enhance the character of the rural environment.

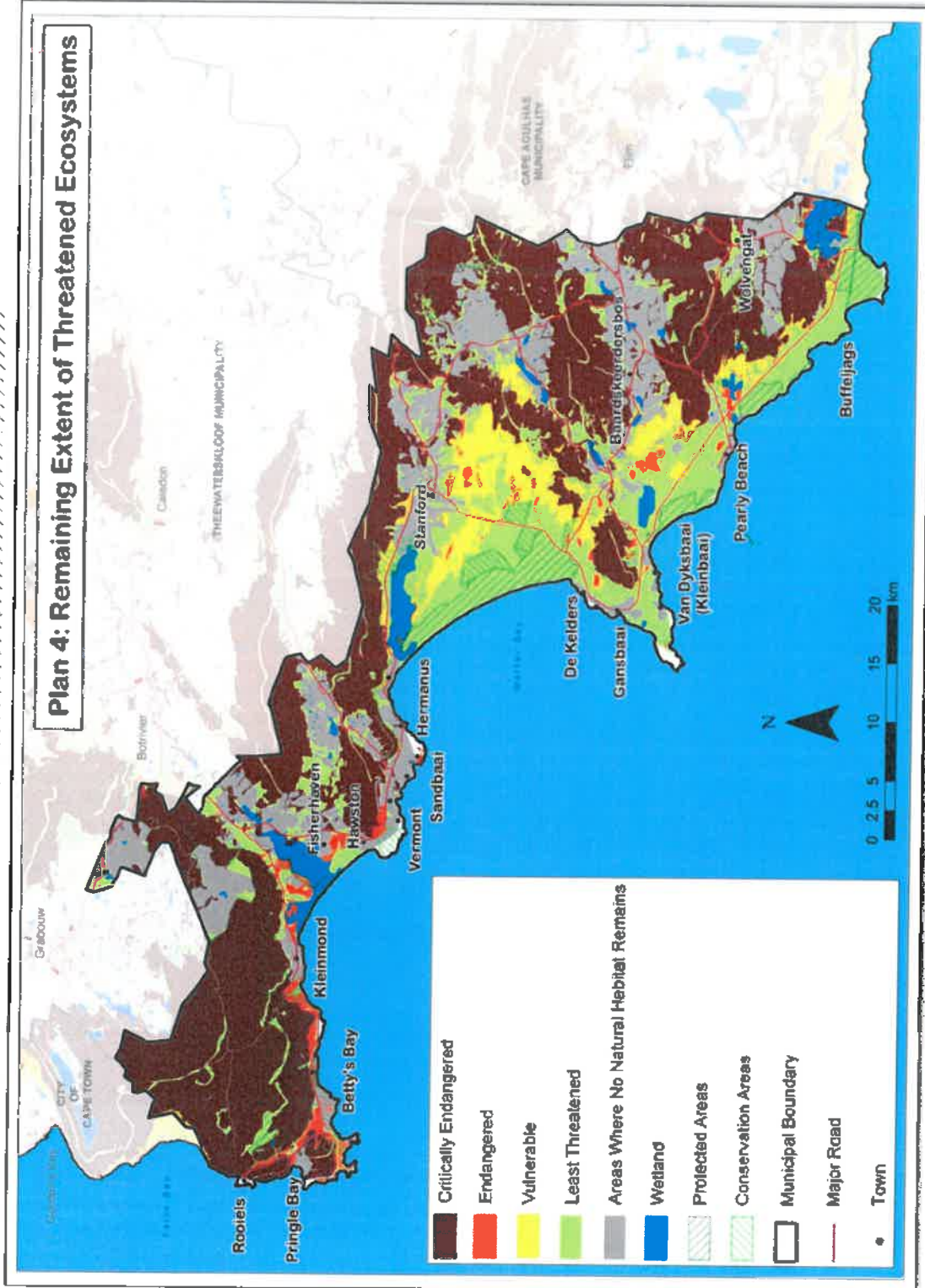


Figure 11: IDF Plan 4 - Remaining extent of threatened ecosystems

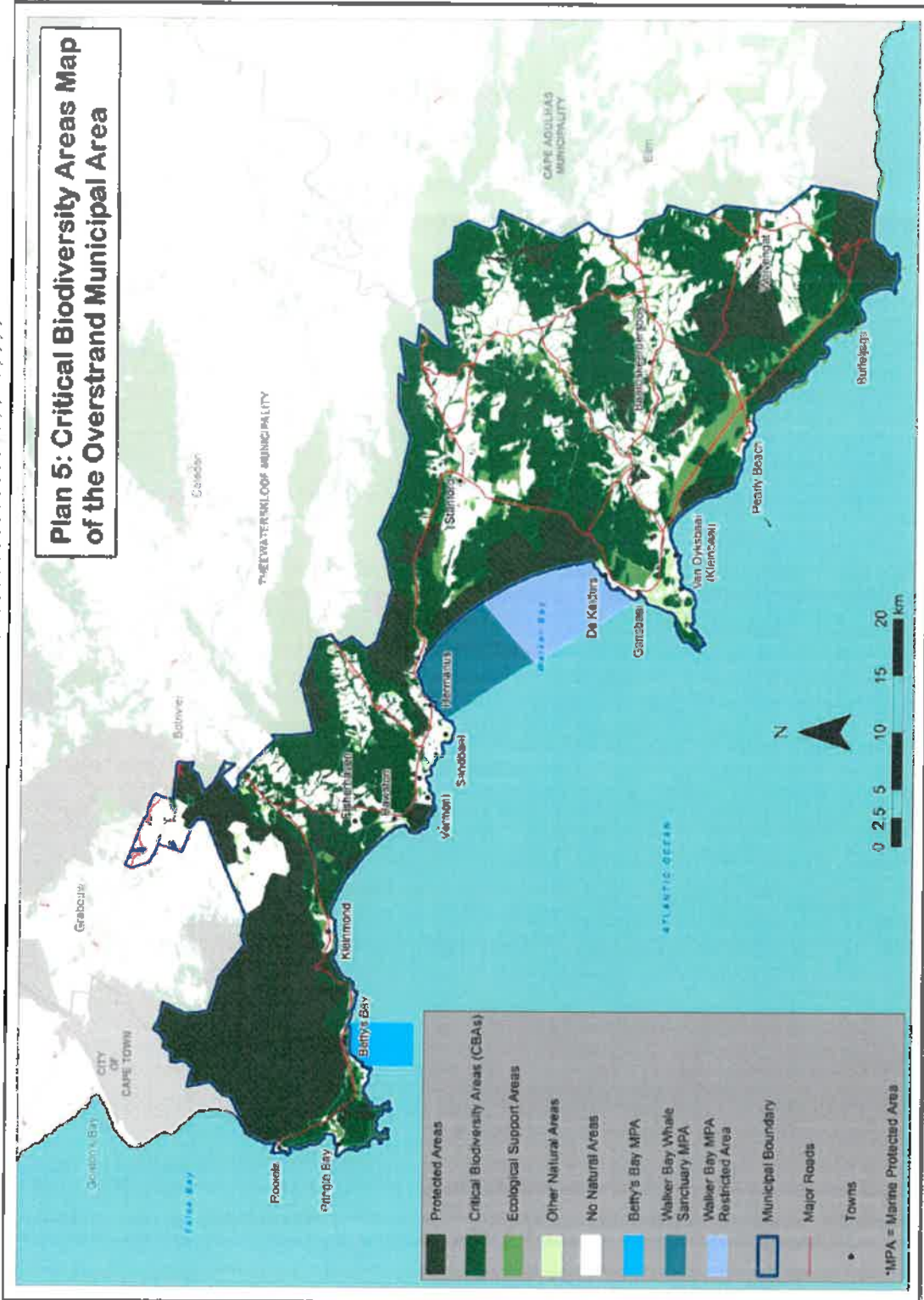


Figure 12: IDF Plan 5 - Critical biodiversity areas map of the Overstrand Municipal Area

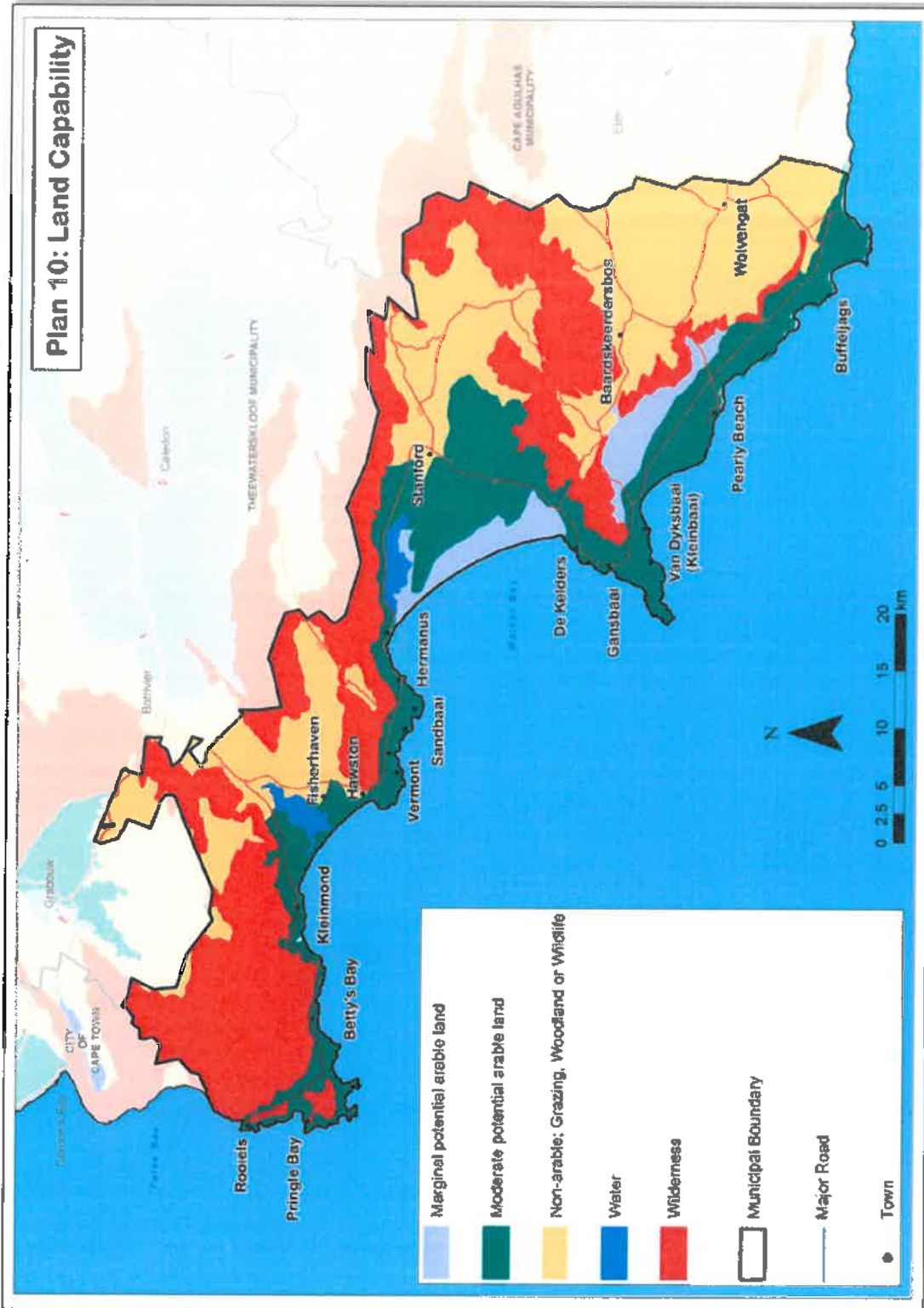


Figure 13: IDF Plan 10 - Land capability

4.3 Overstrand Environmental Management Framework

The only specific reference that is made to Buffeljagsbaai in the above document is a statement with regard to the existing water source of the settlement. It is stated that the current source is adequate to supply medium- and long term future water requirements of the settlement. No further exploration work will be undertaken within this regard.

5 LOCALITY INFORMATION

5.1 Social Amenities

The settlement is developed with a crèche facility, a library and a community hall.

5.2 Economic Opportunities

Buffeljagsbaai is regarded as a fishing community and this is the main source of income for residents of the settlement. However, abalone poaching is also prevalent in the community. The bamboo harvesting company, Buffeljagsbaai Bamboo Company, is also a provider of economic opportunities for the residents of the settlement. Commercial activity within the settlement is limited to a small house shop.

The abalone farms that are being developed will also generate a great number of permanent employment opportunities. However, it was found that the greater majority of the workforce are not residing in the settlement, but is transported by bus from Gansbaai and Pearty Beach on a daily basis.

Another possible economic opportunity is the development of the nuclear power facility that is proposed to be developed by Eskom at Bantamsklip, approximately 6 km away. It is however predicted that the employment opportunities created by the development of this facility will be specialised and will offer little direct economic advantages to the community.

5.3 Public Transport Plan

The only public transport that is available is a bus service that is provided to children attending school in Gansbaai.

5.4 Proposed Coastal Setback Lines

The Department of Environmental Affairs and Development Planning (DEADP) is currently in the process of determining Coastal Management Lines for the Overberg District. A draft report is currently being circulated as part of a public participation process and was scrutinised for the purposes of this report.

Three (3) management lines were determined that may impact on the settlement. They are:

- The long term 1 in 100 year low risk line;
- The medium term 1 in 50 year medium risk line; and
- Short term 1 in 20 year high risk line.

An area identified as the Rural Risk Zone was also identified. Aforementioned lines and risk zone are illustrated by Figure 4. As the area was identified as a CBA, it falls under the proposed rural risk zone. In terms of the above the following is proposed for areas falling within the identified rural risk zone:

General Risk Coastal Overlay Zone (Rural areas)

Zone	Zone Intention	
General Risk (rural areas)	<ul style="list-style-type: none"> ■ Maintain coastal quality. Prevent development, but allow exercising of existing rights in respect to single residential dwelling on agricultural land.	
Primary use	With special consent	Not supported
As per base land use controls.	<ul style="list-style-type: none"> ■ Intensification of development within development islands; ■ Agricultural support functions; and ■ Public resorts. 	General residential (urbanisation), commercial, industry, school.

Zone Additional Controls

- Structures must preferably be elevated on pilings, posts, piers-and-joists, column or similar foundations – with the lowest floor of the structure to be above a pre-determined risk level;
- Lower floors of structures/buildings must be permeable – i.e. have openings to allow for the entry and exits of flood waters – to allow effective interior and exterior hydrostatic pressure equalisation during and post inundation;
- Building design must demonstrate reasonable risk reduction measures and should include innovative solutions (adaptable buildings, re-locatable buildings, flood-proofed buildings, flood resistant and resilient construction, etc.) without increasing and transferring risks to adjacent properties;
- Key mechanical and electrical services/structures (e.g. substations, transformers, generators, geysers and DB boards) must be located above a pre-determined risk level;
- After construction, any exposed ground area must be stabilised by the use of ground covering plants or mulches to minimise the risk of erosion;
- On request from the municipality, a storm water management plan might be required to be submitted along with building plans;
- Hardened surfaces to be minimised and suitable permeable alternatives utilised to maximise natural infiltration and reduce overland flow and associated velocities with concomitant risk of erosion and damage;
- Only fully enclosed/self-contained effluent storage and treatment systems will be permitted if links to sewer mains are not possible. These must be located either on the landward side of structures or either side of structures, and recommended by Registered Engineer to ensure suitable sealing and safety;
- Development should be sited to minimise the removal of trees and endemic vegetation;
- Existing coastal processes, including dune migration and littoral drift should not be impeded and indigenous vegetation must be maintained;
- Exotic species of vegetation should be limited to feature trees or shrubs within an indigenous setting; and
- Fencing or other barriers must be permeable to accommodate storm events and limit structural damage and associated negative impacts on the environment.

Issues Proposed To Be Included In By-Laws

- Consolidated access points/paths to the beach preferably on raised wooden/recyclable plastic boardwalks to reduce negative impact on dunes and associated vegetation; and
- Limit and preferably avoid expansion of existing footpaths and volumes of existing structures and buildings within the risk zone.

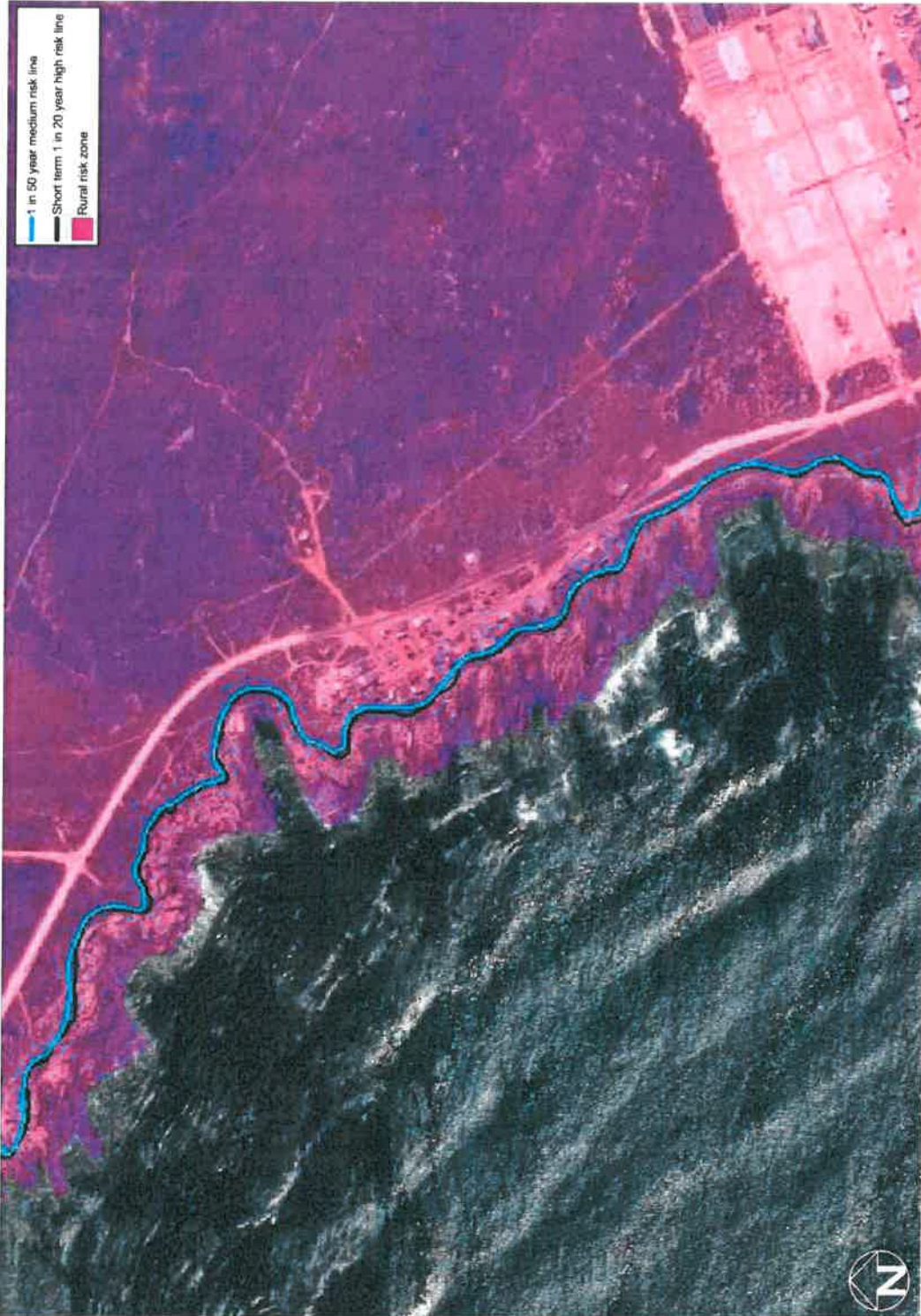


Figure 14: Coastal setback lines

6 SHORT-, MEDIUM- AND LONG TERM NEEDS

Short-, medium- and long term goals were identified by the Overstrand Municipality for the provision of subsidised housing within the settlement.

Short term goals

In order to provide the residents of the informal settlement with access to basic services, the Overstrand Municipality developed eight (8) toilets, four (4) communal taps and two (2) concrete conservancy tanks next to aforementioned informal settlement. The Overstrand Municipality financed the installation of these services and the short term goal will therefore be to submit an application to the Department of Human Settlements for the recovering of the money spent under the Emergency Housing Programme (EHP).

Medium term goals

The medium term goal is to provide housing opportunities for beneficiaries on the current housing waiting list of the settlement, as well as to accommodate the residents of the informal settlement. It is also a requirement that some commercial opportunities in the form of zoned erven be provided for local entrepreneurs. An area that can accommodate the medium term housing needs of the settlement was identified (refer Figure 15). The area is not located within the current urban edge of Buffeljagsbaai. Any future application will therefore need to include an amendment of the urban edge. From Figure 14 it is also clear that the area identified for possible future development falls within the proposed coastal setback lines.

Long term goals

With the development of the two abalone farms, it will be inevitable that a need will arise for the further provision of residential opportunities in Buffeljagsbaai. The possible development of the Bantamsklip nuclear power station may also have an impact on the housing demand in the area. The long term goal for the Overstrand Municipality will therefore be to provide opportunities for this particular need. However, it was communicated to the PRT that the provision of housing opportunities should not attract people residing elsewhere in the Overstrand Municipality, with the hope of benefiting from subsidised housing provision. A phased development approach is therefore regarded as most desirable, with the development of opportunities as the actual housing need demands.



Figure 15: Area for possible future development

7 CONCLUSION

From this report it is clear that:

- A definite need exists to accommodate residents of the informal settlement in a formalised manner;
- The current waiting list indicates that there is a definite need to accommodate backyard dwellers within the settlement by providing additional subsidised housing opportunities;
- With the development of the two abalone farms next to the settlement, a further need for the development of housing opportunities may arise; and
- The Overstrand Municipal Wide Spatial Development Framework (SDF) clearly states that the provision of housing opportunities within Buffeljagsbaai must be considered from 2015 onwards.

In order to achieve the above mentioned it is recommended that a Local Development Framework be compiled for Buffeljagsbaai that will guide all future development within the settlement (as proposed within the Overstrand SDF). Specialist input will be required from the following:

- Town planning consultant;
- Independent environmental practitioner;
- Civil engineering consultant; and
- Heritage practitioner.

The framework will need to provide solutions for the medium- as well as long term needs identified by the Overstrand Municipality.

8 RECOMMENDATION

The following actions are recommended:

- That an application to recover the monies spent on the installation of the EHS services for the informal settlement within Buffeljagsbaai be prepared and submitted to DoHS;
- That this report serve as motivation to DoHS for budgeting purposes in order to prepare a Local Development Framework for Buffeljagsbaai addressing the medium- and long term needs of the Overstrand Municipality;
- That an application for funding services to accommodate the medium term demand be submitted to DoHS; and
- That after the approval of the Local Development Framework, the necessary applications be prepared and submitted to obtain the statutory approvals in terms of the Land Use Planning Ordinance, 1985, the National Environmental Management Act, 1998, and the South African Heritage Resources Act, 1999.

ANNEXURE A

ENQUIRIES:
NAVRAE: MNR CLOETE
AMBUZU:

TELEPHONE:
TELEFOON: (021) 483-4585
IFOWUM:

REFERENCE:
VERWYSING: GD3/4/S10/5
ISALATHISO:

DATE:
DATUM: 10 SEP 1997
UMHLA:

Bred. 34
PROVINCIAL ADMINISTRATION: WESTERN CAPE
DEPARTMENT OF HOUSING, LOCAL
GOVERNMENT AND PLANNING

PROVINSIALE ADMINISTRASIE: WES-KAAP
DEPARTEMENT VAN BEHUISING,
PLAASLIKE BESTUUR EN BEPLANNING

ULAWULO LWEPHONDO: INTSHONA KOLONI
ISEBE LOLWAKHINO-ZINDLU,
ULAWULO LWEEDOLOPHU NOCWANGCISO

Die Hoof Uitvoerende Beampte
Overberg Distriksraad
Privaatsak X22
BREDASDORP
7280

Meneer

GOEDKEURING VAN UITLEGPLAN VIR MINDER FORMELE VESTIGING OP GEDEELTE
VAN PLAAS 340, BUFFELJACHTSBAAI

1. U verwysing is 16/5/13/1.
2. Goedkeuring word hiermee, ingevolge artikel 4 van die Wet op Minder Formele Dorpstigting, 1991 (Wet 113 van 1991), verleen aan die aangehegte uitlegplan no. GD3/4/S10/5-A vir die ontwikkeling van 'n minder formele vestigingsgebied op 'n gedeelte (groot 1,2876 ha) van Plaas no. 340, Buffeljachtsbaai, onderhewig aan die volgende voorwaardes:
 - 2.1 Die sonering van die erwe sal wees soos aangedui op bogenoemde plan.
 - 2.2 Die regulasies ten opsigte van informele residensiële sone, soos uiteengesit in Provinsiale Kennisgewing 465/1992, moet toegepas word.
 - 2.3 Die bepalinge van die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet 103 van 1977) moet toegepas word op alle erwe in die gebied behalwe erwe gesoneer vir residensiële doeleindes.
 - 2.4 Die gebied moet net ontwikkel word vir die permanente inwoners wat eiendomsreg gaan kry en die eiendomsreg van die erwe sal slegs oordraagbaar wees aan die direkte nageslag van die eienaars.

2.5/...

PLEASE STATE REFERENCE NUMBER IN FURTHER CORRESPONDENCE / VOORSKEN VERWYSINGSNUMMER IN VERDERE KORRESPONDENSIE ASSEBLIEF
HCEDA USEBENZISE INOMBULO YESALATHISO KWAMBALAWANO ELANGELAYO

SEND ALL CORRESPONDENCE TO:
Chief Directorate Planning
Directorate Land Affairs
27 Wale street
Private Bag 10860
CAPE TOWN, 8000

RIJ ALLE KORRESPONDENSIE AAN:
Hoofdirektorat Beplanning
Direktorat Grondsele
Waldstraat 27
Privaatsak 10860
KAAPSTAD, 8000

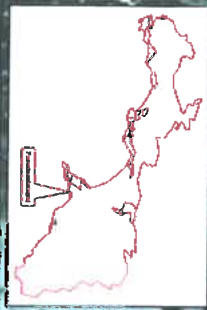
24
✍

- 2.5 Die minder formele gebied is verklaar vir slegs daardie gedeelte van die eiendom wat op bogenoemde uitlegplan aangetoon word. Dit sal verseker dat geen addisionele grond vir uitbreiding beskikbaar gemaak word nie.
- 2.6 Die ontwikkelingsparameters van die skemaregulasies ingevolge artikel 8 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) moet van toepassing gemaak word op die ontwikkeling.
- 2.7 Alle strukture buite die voorgestelde uitlegplan waarin gesinne tans woon, moet gesloop en hervestig word op erwe binne die voorgestelde uitlegplan.
- 2.8 'n Boulyn ten opsigte van die seefronterwe moet deur die Overberg Distriksraad bepaal word en moet aan die Provinsiale Administrasie: Wes-Kaap voorgelê word vir goedkeuring.
- 2.9 'n Ooreenkoms moet tussen die Overberg Distriksraad en die gemeenskap aangegaan word waarin maatreëls neergelê word waarvolgens enige verdere uitbreiding van die ontwikkeling voorkom sal word. Hierdie ooreenkoms moet aan die Provinsiale Administrasie: Wes-Kaap voorgelê word.

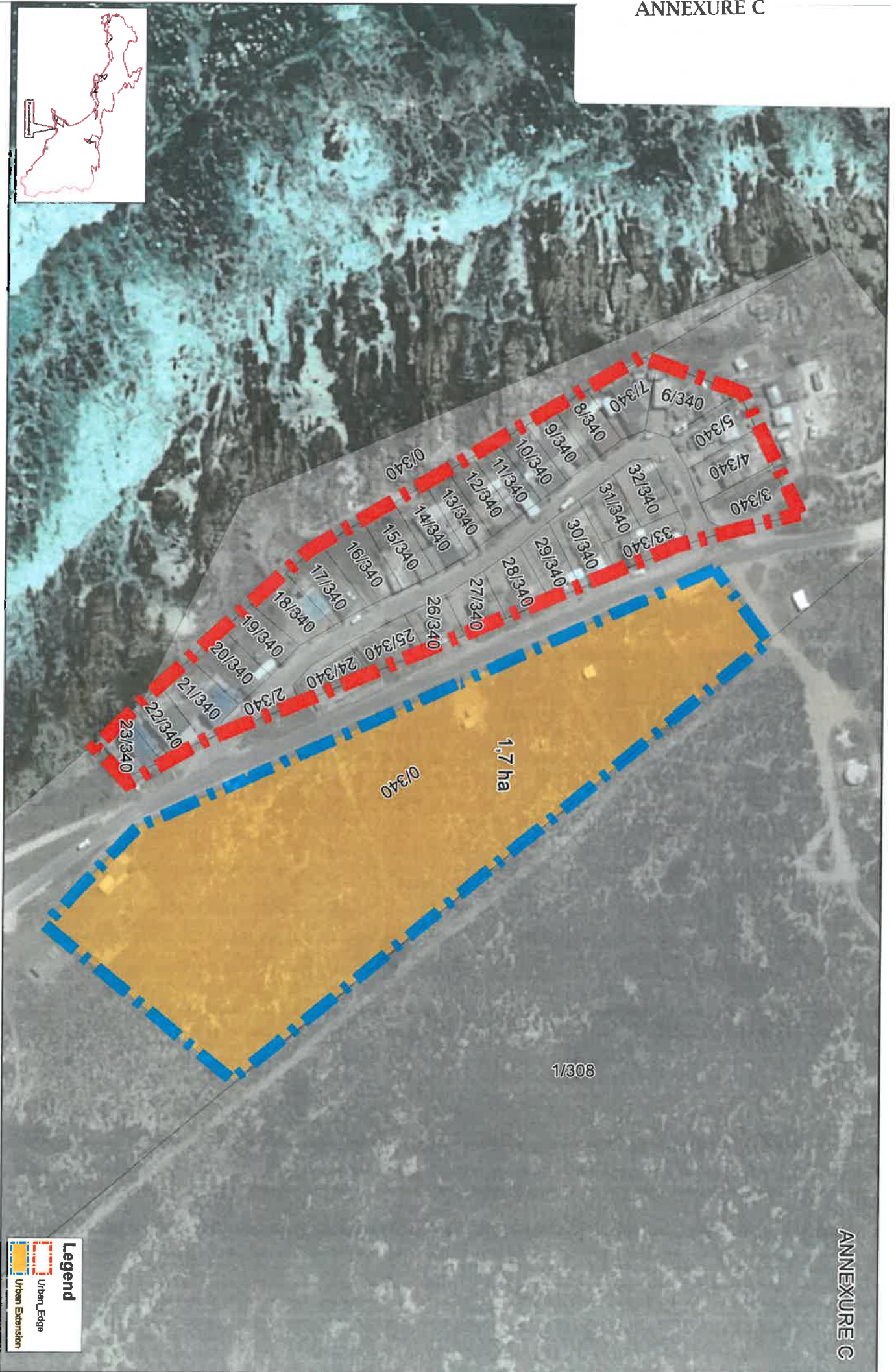
Die uwe



HOOF VAN DEPARTEMENT



BUFFELJAGSBAAI PROPOSED URBAN EXTENSION



Legend

-  Urban Edge
-  Urban Extension



Office of the Director:
Infrastructure & Planning
Environmental Management

OVERSTRAND ENVIRONMENTAL SECTION

Kantoor van die Direkteur:
Infrastruktuur & Beplanning
Omgewingsbestuur

Enquiries Benjamin Kondokter
Imibuzo

Ref Farm 340/0 Buffeljagsbaai

Datum
Date 22 March 2018
Isuku

To Alida (Town planning) (via email)

RE: APPLICATION FOR PROPOSED EXTENSION OF BUFFELJAGSBAAI

Overstrand Environmental Management Section wishes to comment on the application and would like to make the following comments:

1. The vegetation types on the property where the proposed extension will occur are listed as "Critically Endangered" according the Elsenburg ArcGIS Resource Layers and therefore will need NEMA approval.
2. The total proposed extension is bigger than 1ha and falls outside the existing urban edge layer and therefore need NEMA approval.
3. The portion of Erf 340 that occur below the tar road must be excluded from the development.
4. Erf 308/1 must be included into the Environmental Management Overlay Zone document as Category A to form part of the Mountain to Coastal corridor for the Buffeljagsbaai area. We note that the long-term development proposal could include a section of this property.
5. We note that the historical grave yard has been excluded from the proposed extension and would request that the grave yard be enclosed by a boundary wall.

Please feel free to contact me should any questions arise.

Regards



-
- B.Kondokter
 - Nms:MR S MULLER
 - DIRECTOR:INFRASTRUCTURE & PLANNING
 - Cc : Liezi De Villiers :Senior Environmental Manager



Directorate: Development Management
(Region 1)



TP-A Theart
(Suid merwe)
A Jacobs

REFERENCE: 16/3/3/6/E2/27/1418/17
ENQUIRIES: Ms. Arabel McClelland
DATE: 2018-10-29

Municipal Manager
Overstrand Municipality
P.O. Box 20
HERMANUS
7200

FILE NO:	Ptn of farm 340
	Buffeljasbaai
SCAN NO:	171515314
COLLABORATOR NO:	
	1225892

Attention: Ms. A. Jacobs / Mr. P. Roux

Tel: (028) 313 5075/8983
Fax: (028) 313 2093

Dear Sir/Madam

HOUSING PROJECTS WITHIN THE OVERSTRAND MUNICIPALITY

1. The housing project summary for the Overstrand Municipality provided by the Department of Human Settlements, received by the Department on 4 December 2017, the electronic correspondence received from Ms. Abigail Jacobs on 19 October 2018, and the electronic correspondence received from Mr. Petrus Roux on 24 October 2018, refer.
2. This Directorate's ongoing consultation with the Overstrand Municipality and the Department of Human Settlements has identified that several housing projects are currently in the pipeline, or under development, within the Overstrand municipal area.
3. Review of a summary of the housing projects has indicated that the Municipality has, to date, completed environmental applications and obtained the necessary environmental authorisations for housing developments that required such in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") Environmental Impact Assessment ("EIA") Regulations applicable at that time. In other instances, advice has been obtained to confirm where pending housing projects may still require environmental authorisation.
4. On this basis, a singular project within the summary was identified where formal input has not, as yet, been obtained from this Directorate. Although it is noted that this project may fall within long-term planning and that other statutory processes are currently underway in order to enable the initiation of the project, the following preliminary advice can be provided with respect to Portion of Farm no. 340, Buffeljasbaai.

6th Floor, 1 Dorp Street, Cape Town, 8001
Tel: +27 21 483 2660 Fax: +27 21 483 3098
Email: Arabel.McClelland@westerncape.gov.za

Private Bag X9086, Cape Town, 8000
www.westerncape.gov.za/eadp

5. This Directorate notes that application is currently underway to amend the urban edge to incorporate land earmarked for development and inclusion within the settlement of Buffeljagsbaai in order to meet the housing needs of the area. A Status Quo Report has been compiled by the appointed Professional Resource Team. This report confirms the need for the appointment of an independent Environmental Assessment Practitioner and that the necessary environmental application must be prepared and submitted to obtain approval in terms of the NEMA.
6. Upon review of the information contained within the Status Quo Report, this Directorate concurs with the conclusion and recommendations of the report with respect to the applicability of the NEMA.
7. Although it is acknowledged that the project is in the early stages of development, with respect to identification of the potential requirements in terms of the NEMA, your attention is drawn to the listed activities in terms of the NEMA EIA Regulations, 2014 (as amended) and Listing Notices 1, 2 and 3. Be advised that, based on the initial information provided for the extension of the Buffelsjagbaai settlement and development of housing on a portion of Farm no. 340, the proposal may constitute, *inter alia*, the following listed activities, as defined in Listing Notices 1 and 3 of the NEMA EIA Regulations 2014 (as amended):

➤ **Activity 9 of Listing Notice 1:**

The development of infrastructure exceeding 1000 metres in length for the bulk transportation of water or storm water—

- (i) *with an internal diameter of 0,36 metres or more; or*
- (ii) *with a peak throughput of 120 litres per second or more;*

excluding where—

- (a) *such infrastructure is for bulk transportation of water or storm water or storm water drainage inside a road reserve or railway line reserve; or*
- (b) *where such development will occur within an urban area.*

➤ **Activity 10 of Listing Notice 1:**

The development and related operation of infrastructure exceeding 1000 metres in length for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes –

- (i) *with an internal diameter of 0,36 metres or more; or*
- (ii) *with a peak throughput of 120 litres per second or more;*

excluding where—

- (a) *such infrastructure is for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes inside a road reserve or railway line reserve; or*
- (b) *where such development will occur within an urban area.*

➤ **Activity 17 of Listing Notice 1:**

Development—

- (i) in the sea;
- (ii) in an estuary;
- (iii) within the littoral active zone;
- (iv) in front of a development setback; or
- (v) **If no development setback exists, within a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater;**

in respect of—

- (a) fixed or floating jetties and slipways;
- (b) tidal pools;
- (c) embankments;
- (d) rock revetments or stabilising structures including stabilising walls; or
- (e) **infrastructure or structures with a development footprint of 50 square metres or more**

but excluding—

- (aa) the development of infrastructure and structures within existing ports or harbours that will not increase the development footprint of the port or harbour;
- (bb) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;
- (cc) the development of temporary infrastructure or structures where such structures will be removed within 6 weeks of the commencement of development and where coral or indigenous vegetation will not be cleared; or
- (dd) where such development occurs within an urban area.

➤ **Activity 18 of Listing Notice 1:**

The planting of vegetation or placing of any material on dunes or exposed sand surfaces of more than 10 square metres, within the littoral active zone, for the purpose of preventing the free movement of sand, erosion or accretion, excluding where —

- (i) the planting of vegetation or placement of material relates to restoration and maintenance of indigenous coastal vegetation undertaken in accordance with a maintenance management plan; or
- (ii) such planting of vegetation or placing of material will occur behind a development setback.

➤ **Activity 19A of Listing Notice 1:**

The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from -

- (i) the seashore;

- (ii) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater; or
- (iii) the sea; -

but excluding where such infilling, depositing, dredging, excavation, removal or moving –

- (a) will occur behind a development setback;
- (b) is for maintenance purposes undertaken in accordance with a maintenance management plan;
- (c) falls within the ambit of activity 21 of this Notice, in which case that activity applies;
- (d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or
- (e) where such development is related to the development of a port or harbour, in which case activity 26 of Listing Notice 2 of 2014 applies.

➤ **Activity 27 of Listing Notice 1:**

The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for—

- (i) the undertaking of a linear activity; or
- (ii) maintenance purposes undertaken in accordance with a maintenance management plan.

➤ **Activity 28 of Listing Notice 1:**

Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development:

- (i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or
- (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;

excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.

➤ **Activity 4 of Listing Notice 3:**

The development of a road wider than 4 metres with a reserve less than 13,5 metres.

- (i) In Western Cape:
 - i. Areas zoned for use as public open space or equivalent zoning;
 - ii. **Areas outside urban areas;**
 - (aa) **Areas containing indigenous vegetation;**

- (bb) Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or
- iii. In urban areas:
 - (aa) Areas zoned for conservation use; or
 - (bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.

➤ **Activity 12 of Listing Notice 3:**

The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.

(i) **Western Cape:**

- i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;
 - ii. Within critical biodiversity areas identified in bioregional plans;
 - iii. **Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas; or**
 - iv. On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or
 - v. On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.
8. Therefore, if applicable, written environmental authorisation will be required and an application for environmental authorisation must be submitted to the competent authority and authorisation obtained before the development may commence.
9. The Application Form, as well as other relevant forms and guidelines, are available from this Department's website: <https://www.westerncape.gov.za/eadp/resource-library>.
10. This Department reserves the right to revise or withdraw any comments or request further information from you based on any information received.

Yours faithfully



**HEAD OF COMPONENT
ENVIRONMENTAL IMPACT MANAGEMENT SERVICES: REGION 1
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

CC: (1) Ms. E. Pelsler (Department of Human Settlements)

Fax: (021) 483 5510

Erf 340/0 Buffeljachtsbaai

TRA Theart
(S v/d Marwe)

**Buffeljachtsbaai Behuising komitee &
Gemeenskap**

19 Oktober 2018

Vrae / kommentaar rakende behuising te Buffeljachtsbaai:

1. Bespreek grootte van beplande huise met die gemeenskap.
2. Nuwe erwe moet enkel residensieel gesoneer word.
3. Erwe moet so groot soos bestaande erwe wees.
4. Bestaande erwe moet na enkel residensieel hersoneer word.



FILE NO:	Farm 340	GB
	125534	
SCAN NO:	ERF 340	
COLLABORATOR NO:	1227634	

-1 NOV 2018

F. NAAM	VAN	ADRES	F 1-3 SIG
Carin	ARENS	No. 8 BTB	Arndt
THINK#	WILLIAMS	BJ 4	Arndt
Nicole	Arends	Huis no 8	Arndt
Cecilia	ARENDESE	Huis : NO : 10	Arndt
Daphne	Groenewald	Huis : NO	J. Groenewald
Johanna	Groenewald	Huis no 28	J. Groenewald
Gerard	Groenewald	Huis, no, 10	J. Groenewald
Ronald Macken	Huis 20		J. Groenewald
HONKHAHT	Kooyzen Huis 29		M. Kooyzen
Truderen	Johnson	Huis no 26	Johnson
Ohleen	Groenewald	Huis NO 13	Groenewald
Raul	Groenewald	Huis no 28	P. Groenewald
Micaela	Groenewald	Huis no 13	M.G
Anwalt	ANTA	BJ 09.	Arndt
Nigel	Arends	Huis No 08	Arndt
Carin	ertze	Huis no. 26	Arndt
Keshia	Leonard	Huis no 17	K. Leonard
Ar	Mathinus	Huis no 25	Mathinus
Samuel	Groenewald	Huis 23	Arndt
Karen	Groenewald	" "	Arndt
Soné	Groenewald	Huis 23	Arndt
Jason	Groenewald	" "	Arndt
MICHAEL	Groenewald	Huis 22	Arndt
MURHLIN	Robyn	" "	M. ROBIN.
AMECIA	Groenewald	" "	R. Groenewald
MICHAEL	GROENEWALD	" "	Arndt
KIMM	GROENEWALD	Huis 21	Arndt
Emily	Botha	Huis 32	Arndt
ANTHONY	BOTHA	" 32	Arndt
GAVIN	PETERSEN	HUIS. NO. 8 B	Arndt
	Arndt	Huis 8	Arndt

NAAM	VAN	ADRES	F 2-3 SIG
Desmonick	Sauls	Buffeljagsbaai no 30	D Sauls
Nicolene	Jantjies	Buffeljagsbaai no 6	Jantjies
Nicolaas	Jantjies	Buffeljagsbaai no 4	Jantjies
Conlay	Bradt	Buffeljagsbaai no 5	Bradt
Harry	Bradt	Buffeljagsbaai 3	Bradt
Michael	Bradt	Buffeljagsbaai	Bradt
Erasmus	Van Wyk		
Hyron	Van Wyk	"	
Tactley Ann	Botha	B55	Botha
Shirone	Minnies	B512 Buffeljagsbaai	Minnies
Daniel	Minnies	" " "	D. Minnies
Enantle Lee	Minnies	B56 Buffeljagsbaai	Minnies
Sharon	Kruger	B58 Buffeljagsbaai	Kruger
Rebecc	Minnies	B513 Buffeljagsbaai	Minnies
Anneka	Clasen	Buffeljagsbaai 19	Clasen
Fin Murray	Ellis	Buffeljagsbaai 5	Ellis
Nazli	Ellis	Buffeljagsbaai 5	Ellis
Lidia Nisna	Ellis	Buffeljagsbaai 5	Ellis
Michelle	Ellis	Buffeljagsbaai 5	Ellis
Astlele	Petersen	Buffeljagsbaai 5	A. Petersen
Jawler	Ellis	" " 5	Ellis
Nicolene	Baardman	Buffeljagsbaai B57	Baardman
Jodine	Swam	Buffeljagsbaai no 6	Swam
Sophia	Boshoff	" no. 7	Boshoff
Angeline	Slabbert	" No 7	Slabbert
Sylvia	Botha	" No 27	Botha
Erin	Botha	B52	Botha
Correlle	Byers	Buffeljagsbaai No. 7	Byers
HENDRY	DYERS	" "	DYERS

NAAM	VAN	ADRES	SIG
Jeanré	Anta	HUIS 105	Janto
Lidia	Abraham	B19	L.A
Clifford	Ruiters	B33	c Ruiters
Zdena Jacques	Anta	Buffel Seidpaai. Huis 6	2A